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(ACCEPTABLE)

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PATENT

By \_\_\_\_\_

Attorney Docket No. 13119-1-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	)	
DUNMIRE, et al.	)	Examiner: J. Rivell
Serial No.: 08/046,337	)	Art Unit: 3407
Filed: April 12, 1993	)	TERMINAL DISCLAIMER WITH
For: BACKFLOW PREVENTOR WITH	)	CERTIFICATE UNDER 37 C.F.R.
ADJUSTABLE OUTFLOW	)	<u>§ 3.73(b)</u>
DIRECTION	)	

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Your petitioner, CMB INDUSTRIES, of 1550 North Peach, Fresno, California, represents that Petitioner is owner by assignment of application Serial No. 08/046,337, filed April 12, 1993, for a BACKFLOW PREVENTOR WITH ADJUSTABLE OUTFLOW DIRECTION. The assignment was recorded at reel 6184, frames 0758 and reel 6215, frame 068. Your Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the full statutory term, as presently shortened by any terminal disclaimer, of United States Patent No. 5,226,441 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 5,226,441, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, the grantee's successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term, as presently shortened by any terminal disclaimer, of United States Patent No. 5,226,441 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is

statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title stated above. Petitioner expressly reserves and does not waive the right to extend the term of any patent granted on the above-identified application under any statute which permits such an extension of term.


I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date:

4 Nov 94

CMB INDUSTRIES,

By:

  
James F. Hann  
Reg. No. 29,719  
Attorney for Petitioner

Law Offices  
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November 4, 1994

To: EXAMINER RIVELL, ART UNIT 3407- ATTN: JAN HURLEY

From: James F. Hann, Esq.

Client Number: 13119-1-3

At FAX Number: 703 305-3464

Number of Pages (including this page): 3

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U.S. Serial No. 08/046,337

Filed April 12, 1993

BACKFLOW PREVENTOR WITH ADJUSTABLE OUTFLOW DIRECTION

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